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<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. M4065.0699/P699-B	
Application No. 10/777,684-Conf. #5881	Filing Date February 13, 2004	Examiner H. M. Lee	Art Unit 2823		
Applicant(s): Terry L. Gilton					
Invention: NON-VOLATILE RESISTANCE VARIABLE DEVICES AND METHOD OF FORMING SAME, ANALOG MEMORY DEVICES AND METHOD OF FORMING SAME, PROGRAMMABLE MEMORY CELL AND METHOD OF FORMING SAME, AND METHOD OF STRUCTURALLY					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
<b>Total Claims</b>	11	- 20 =		x	
<b>Independent Claims</b>	3	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00
<input checked="" type="checkbox"/> Large Entity <span style="margin-left: 200px;"><input type="checkbox"/> Small Entity</span>					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-1073</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Thomas J. D'Amico Attorney Reg. No.: 28,371				Dated: <u>September 29, 2005</u>	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 2101 L Street NW Washington, DC 20037-1526 (202) 828-2232					



Docket No.: M4065.0699/P699-B  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Terry L. Gilton

Application No.: 10/777,684

Confirmation No.: 5881

Filed: February 13, 2004

Art Unit: 2823

For: NON-VOLATILE RESISTANCE  
VARIABLE DEVICES AND METHOD OF  
FORMING SAME, ANALOG MEMORY  
DEVICES AND METHOD OF FORMING  
SAME, PROGRAMMABLE MEMORY  
CELL AND METHOD OF FORMING  
SAME, AND METHOD OF  
STRUCTURALLY CHANGING A NON-  
VOLATILE DEVICE

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Examiner: H. M. Lee

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated July 5, 2005, please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 4 of this paper.